



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3598

Introduced 2/24/2011, by Rep. Harry Osterman

SYNOPSIS AS INTRODUCED:

410 ILCS 45/9.1

from Ch. 111 1/2, par. 1309.1

Amends the Lead Poisoning Prevention Act in the provision concerning owner's obligation to give notice. Provides that before entering into an agreement for the sale of a residential building or dwelling unit built before 1978, all owners shall provide prospective purchasers with certain information concerning (i) potential health hazards posed by lead in residential dwellings and (ii) disclosure to the purchaser concerning the presence of any known lead-based paint or any known lead-based paint hazards. Makes other changes. Effective immediately.

LRB097 08063 RPM 48186 b

1 AN ACT concerning public health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Lead Poisoning Prevention Act is amended by
5 changing Section 9.1 as follows:

6 (410 ILCS 45/9.1) (from Ch. 111 1/2, par. 1309.1)

7 Sec. 9.1. Owner's obligation to give notice. An owner of a
8 dwelling unit or residential building who has received a
9 mitigation notice under Section 9 of this Act shall, before
10 entering into a lease agreement for the dwelling unit for which
11 the mitigation notice was issued, provide prospective lessees
12 of that unit with written notice that a lead hazard has
13 previously been identified in the dwelling unit, unless the
14 owner has obtained a certificate of compliance for the unit
15 under Section 9. An owner may satisfy this notice requirement
16 by providing the prospective lessee with a copy of the
17 inspection report prepared pursuant to Section 9.

18 Before entering into a residential lease agreement, all
19 owners of residential buildings or dwelling units built before
20 1978 shall give prospective lessees information on the
21 potential health hazards posed by lead in residential dwellings
22 by providing the prospective lessee with a copy of an
23 informational brochure prepared by the Department. Within one

1 year of the effective date of this amendatory Act of 1992,
2 owners of residential buildings or dwelling units built before
3 1978 shall provide current lessees with such brochure.

4 Before entering into an agreement for the sale of a
5 residential building or dwelling unit built before 1978, all
6 owners shall provide prospective purchasers with the following
7 information:

8 (i) information on the potential health hazards posed
9 by lead in residential dwellings by providing the potential
10 purchaser with a copy of an informational brochure prepared
11 by the Department; and

12 (ii) disclosure to the purchaser concerning the
13 presence of any known lead-based paint or any known
14 lead-based paint hazards in the residential building or
15 dwelling unit and provide to the purchaser any lead hazard
16 evaluation reports or records available to the seller.

17 Every contract for the purchase of any residential building
18 or dwelling unit built before 1978 shall include a statement
19 signed by the purchaser that the purchaser has (1) received the
20 lead hazard information brochure and (2) received either
21 information on known lead-based paint or lead hazards or a
22 written statement from the seller that the seller is not aware
23 of the presence of any known lead-based paint or any known
24 lead-based paint hazards in the housing.

25 (Source: P.A. 87-1144.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.